

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Applicants respectfully request the foregoing amendments be entered at least because the amendment is merely to have claim language in claim 24 be consistent with claim terminology in independent claim 17, from which it depends, and thus does not raise any new issues requiring further search or consideration.

Claim 24 is currently being amended to be consistent with claim terminology in independent claim 17, from which it depends. No new matter is being added.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-6, 8-15, 17-31, 33 and 34 are now pending in this application.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claim 24 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 24 has been amended to change the language “riser protection” to “protection means,” where “protection means” has antecedent basis in independent claim 17, from which claim 24 depends. Accordingly, applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Double patenting rejection

Claims 17-22 and 24-32 were rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 7,114,885 (“the ‘885 patent”).

The Patent Office on page 3 of the Office Action indicates that the terminal disclaimer, which was filed on May 19, 2010, is disapproved because it fails to comply with Rule 1.31. Specifically, the Patent Office notes on page 3 of the Office Action:

Except as provided in paragraph (c)(1) or (c)(2) of this section, the Office will not recognize more than ten patent practitioners as being of record in an application or patent. If a power of attorney names more than ten practitioners, such power of attorney must be accompanied by a separate paper indicating which ten patent practitioners named in the power of attorney are to be recognized by the Office as being of record in the application or patent to which the power of attorney is directed.

Applicants submit herewith, pursuant to Rule 1.32(c)(2), a Power of Attorney appointing practitioners associated with the Customer Number 22428.

Applicants further submit herewith a Terminal Disclaimer with respect to the '885 patent, which based on the submission of the Power of Attorney appointing practitioners associated with the Customer Number 22428, is in compliance with Rule 1.31. Thus, the double patenting rejection is now moot.

Allowable subject matter

Applicants appreciate the indication that claims 1-6, 8-15 and 33-34 are allowed, and that claim 23 would be allowable if rewritten in independent form. Dependent claim 23 has not been amended at this time, because claim 23 depends from claim 17, which is now believed to be allowable based on the filing of the Terminal Disclaimer with respect to the '885 patent, as discussed above.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment,

to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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